

FARMINGTON CITY PLANNING COMMISSION

Thursday, November 14, 2002

WORK SESSION/CITY CHAMBERS

Present: Commissioners Kent Forsgren, Bart Hill, Cindy Roybal, and Sid Young, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Chairman Hoffman and Commissioners Larry Jensen and Cory Ritz were attending another meeting. .

David Petersen began the meeting at 6:05 P.M. The purpose of the work session was to hear a report by himself and George Chipman who had taken a fact-finding trip to New Hampshire and Massachusetts, specifically the cities of New London, Tamworth, Concord, Xerter, and Gilford regarding conservation commissions and trail uses.

Mr. Petersen reviewed interesting facts about the country they saw on the trip. He talked about characteristics of conservation plans in different towns and explained briefly how land trusts had been established, how they had obtained funding, and how they were organized. Land acquisition and land management were also summarized. Mr. Petersen pointed out that there were some similarities between Farmington and towns visited—most specifically that people were interested in preservation and open space. There were also some obvious differences; for instance, the ability of the land to heal from scaring was evident in the heavily forested country side of the east coast, where in the desert areas of Utah that would not be the case.

Mr. Chipman reviewed the trail systems they had visited. He expressed gratitude to the City for the opportunity of the trip and stated there really was no substitute for on-site research. Mr. Chipman talked about the different types of trails in the two states visited: wilderness trails, urban trails, historical trails, mountain trails, wetland trails, and multi-use trails. He showed pictures of signage types and trail features. People using the trails were pro-active in the maintenance and in promoting conservation and use. Litter was seldom seen because users were so conscientious about trail care. Mr. Chipman also reviewed educational uses of the trails.

Both Mr. Petersen and Mr. Chipman had pictures and other documents for use by City officials as they explore possibilities for increased conservation and trail construction in Farmington.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Linda Hoffman, Kent Forsgren, Bart Hill, Larry Jensen, Cindy Roybal, Cory Ritz, Sid Young, City Planner David Petersen, and Deputy City Recorder Jeane Chipman

Chairman Hoffman called the meeting to order at 7:00 P.M. **Larry Jensen** offered the invocation.

AGENDA AMENDMENT

Larry Jensen *MOVED* that the Planning Commission amend the agenda to cover item #10 first during the meeting to accommodate the audience in attendance. **Kent Frosgren** seconded the motion, which passed by unanimous vote.

**BONNEVILLE SHORELINE TRAIL MEMORANDUM OF UNDERSTANDING
RECOMMENDATION (Agenda Item #10)**

The Planning Commission briefly reviewed the contents of the Memorandum of Understanding as presented by the Bonneville Shoreline Trail Coalition. **Mr. Forsgren** asked if the City Attorney had reviewed the contents of the document, to which **Mr. Petersen** responded that the attorney had and that there were no problems.

Sid Young *MOVED* that the Planning Commission recommend to the City Council the acceptance of the Bonneville Shoreline Trail Memorandum of Understanding, including the criteria as outlined in the memorandum. **Larry Jensen** seconded the motion, which passed by unanimous vote.

Reasons for the action included:

1. The Bonneville Shoreline Trail corridor is in danger of being lost to public use as development encroaches on the hillsides. Actions in support of the Shoreline Trail could help to preserve the corridor for public use.
2. The Planning Commission concurred that the access accomplished by the Bonneville Shoreline Trail should be maintained for future generations.
3. Support of the Bonneville Shoreline Trail conforms to General Plan tenets.

APPROVAL OF MINUTES

Kent Forsgren *MOVED* that the minutes of the October 24, 2002, Planning Commission Meeting be approved. **Bart Hill** seconded the motion. The Commission voted unanimously in favor. Chairman Hoffman abstained due to her absence during that meeting.

**PUBLIC HEARING: MICHAEL AND JODY GRAY REQUEST FOR
RECOMMENDATION TO THE CITY COUNCIL FOR SCHEMATIC PLAN APPROVAL
AND APPROVAL TO WAIVE CONSERVATION SUBDIVISION REQUIREMENTS FOR
PROPOSED LOT SPLIT LOCATED AT 224 WEST 1100 NORTH IN AN LR-F ZONE (S-
5-02) (Agenda Item #2)**

Background Information:

The existing Gray parcel is 22,977 square feet in size or a little over one-half acre. The applicant is proposing to split the lot as illustrated on the schematic plan included in the packet. Without a waiver, in order to meet conservation subdivision standards, the applicant must set aside 2,297 square feet of open space (10% of the area of the property), or instead of a waiver, the applicant may create a conservancy lot on the corner of 1100 North and Compton Road whereby a restriction shall be placed preventing the subdivision of the lot in the future.

Except for sidewalk on the east side of the property abutting Compton Road, all public improvements are already in place regarding this subdivision. It may be problematic to construct a sidewalk on the east side due to the steep slope, the large trees, and other obstacles in the way. Therefore, it is recommended that the Grays sign an extension agreement for sidewalk on the east side of their property.

END OF PACKET MATERIAL.

Mr. Petersen reviewed the background information. He reported the applicant lives out of state and was not present.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING*.

Scott Wood (1128 North Alice Lane) owned property adjacent to the proposed subdivision. He expressed a concern about the lot split and zoning because he had an interest in purchasing one portion of the divided parcel and wanted to have horses on the property.

After consideration, the **City Planner** reported it may be possible for Mr. Wood to keep horses on the property if the new lot and his current property together equaled enough land to meet ordinance requirements. However, Mr. Wood may have to request and receive non-conforming status from the City through due process.

Glen Parker (133 East 300 North) wondered if the building on the property was an original pioneer building. It was stated by neighbors that the building in question was not a pioneer building.

With no further comments, **Chairman Hoffman** *CLOSED* the public hearing and asked the Commission for their consideration.

In discussion of the issues, Mr. Petersen was asked to explain conservancy lots and what would be required for qualification. Mr. Petersen stated the property in question would be large enough to qualify as a conservancy lot.

Kent Forsgren *MOVED* that the Planning Commission recommended to the City Council the following:

1. The City Council grant schematic plan approval for the proposed subdivision subject to the execution of an extension agreement for a sidewalk on the east boundary of the property.
2. The City Council grant a waiver of conservation subdivision requirements to the Grays subject to placing a conservancy lot easement on the east lot restricting further subdivision of the east parcel.

Larry Jensen seconded the motion, which passed by unanimous vote.

Reasons for the action included:

1. The request was reasonable taking into consideration the characteristics of the property.
2. The motion would provide conservation property.
3. The rights and wishes of neighbors were being considered.

DAVID GRIFFIN REQUEST FOR RECOMMENDATION TO THE CITY COUNCIL FOR FINAL PLAT APPROVAL FOR THE GRIFFIN SUBDIVISION CONSISTING OF SIX LOTS ON 7.37 ACRES LOCATED AT 711 SOUTH 1200 WEST IN AN AE ZONE (S-12-01) (Agenda Item #3)

Background Information:

Mr. Griffin appeared before the Planning Commission at the last meeting on October 24, 2002, requesting a recommendation for final plat approval but was tabled until drainage and all other issues were resolved. Enclosed for reference was staff report from the October 24, 2002, meeting.

Mr. Griffin and his engineer met with City staff (Public Works, City Engineer, City Manager, and City Planner) twice since the last Planning Commission meeting. It is recommended that because Shirley Rae Drive is so flat and the lots are large that storm water can be detained on site and during high flows it will push toward 1100 West Street where the City owns right of way. To accommodate this drainage scheme the developer is proposing swales along side the right-of-way instead of curb and gutter which will also provide a more rural look and will be similar in appearance to the Millcreek Subdivision located in West Bountiful off of 1100 West at about 150 North.

After considering the matter, City staff came to the conclusion that swales in lieu of curb and gutter may be appropriate under certain circumstances and that the City's Subdivision Development Standards should be amended accordingly. A memo of recommendation from the

City Manager to the Planning Commission is enclosed in the packet for review.

END OF PACKET MATERIAL.

Mr. Petersen reviewed the information found in the packet. He said that drainage was an issue. A memo of recommendation from the City Manager was not included in the packet because some things were still being worked out. However, after a great deal of discussion among staff members a recommendation was being made. And, after research, a prototype had been found in North Logan City. Mr. Petersen demonstrated the cross section of the road design being proposed wherein the asphalt of the road could be maintained by concrete gutters, abutted by a swale drainage basin. He also said that staff would like to recommend that side walk only be required on the east side of Shirely Rae Drive to be consistent with equestrian uses throughout west Farmington.

Chairman Hoffman commented that the use of swales in the Sommerset area was beneficial with the exception of the asphalt erosion. The concrete gutters could be the solution to the problem. She asked if a home owners' association would be in place to maintain the swale area, to which Mr. Griffin responded there would not.

Mr. Petersen said the swales would be maintain by the property owner.

Chairman Hoffman continued that the swale design was a great benefit in absorbing and conducting drainage away from homes and other areas of potential damage. She was in favor of the proposed design.

Larry Jensen *MOVED* that the Planning Commission recommend the City Council amend Farmington City street standards to accommodate the North Logan City model as discussed during the meeting. **Cory Ritz** seconded the motion, which passed by unanimous vote.

Kent Forsgren *MOVED* the Planning Commission recommend that the City Council grant final plat approval subject to all applicable Farmington City development standards and the following conditions:

1. Final improvement drawings for the subdivision, including a grading and drainage plan and vegetation plan, shall be approved by the City Engineer, Pubic Works Department, Fire Department, Central Davis County Sewer District, Weber Basin Water Conservancy District, and Davis County Flood Control.
2. The applicant shall comply with all conditions of preliminary plat approval including but not limited to the following:
 - a. The applicant shall obtain a flood control permit from Davis County prior to recordation of the final plat.

- b. Final habitable finished floor elevations located at or above the FEMA 100-year flood plain line shall be identified on the final plat. A note shall be placed on the final plat informing all potential property owners and home buyers that no habitable floor elevation for any dwelling shall be built below said flood plain line as identified on the plat.
 - c. The developer shall enter into a Development Agreement acceptable to the City wherein the developer shall agree to complete, among other things, off-street improvements along Shire Lane and the north side of 700 South (Shirley Rae Drive). The Development Agreement shall stipulate that a note shall be placed on the plat indicating to potential buyers that they are purchasing lots adjacent to farm property and all related agriculture issues and associated odors, tractor noise, etc., have a pre-existing right predating the proposed residential uses of the Griffin subdivision to continue as presently constituted.
 - d. A grading and drainage plan shall be prepared based on storm water flow designed to handle the 24-hour 50-year storm. The developer shall also take a look at the 100-year event.
 - e. The developer shall comply with Federal NPDES standards.
3. A maintenance plan acceptable to the City for the swale areas shall be recorded against each adjacent lot wherein maintenance responsibilities shall be clearly defined. The abutting property owner shall be responsible for maintaining the swale on barrow pit areas.
4. The applicant shall contribute funds to the City to be held in a restricted account to pay for curb and gutter along the west side of 1100 West on the east property line of the Griffin subdivision from a point even with the south boundary of the Farmington Creek Estates project running southerly to Shirley Rae Drive including the sewer pump station frontage.
5. A drainage improvement plan acceptable to Farmington City must be prepared for 700 South Street and Shire Lane. This plan shall include among other things a road cross section similar to that referred to in the North Logan City model as discussed during the meeting and recommended to the City Council for approval.
6. The Shire Lane road cross section shall be designed to meet Farmington City standards similar to those standards referred to in the North Logan City model as discussed during the meeting and recommended to the City Council for approval. The right-of-way shall have 29 feet of asphalt instead of 27 feet. It also appears that the asphalt width of the turn around at the end of the cul-de-sac is too wide

and does not provide the 14 feet of necessary site treatments required by the Farmington City Master Transportation Plan.

7. A flood control easement as required by Davis County shall be identified on the final plat.
8. The City Council shall consider appropriate amendments to the Knighton Subdivision to allow the Griffin Subdivision to be recorded at the office of the Davis County Recorder.
9. A note shall be placed on the final plat indicating that a soil report has been prepared and submitted to the City for the proposed subdivision in accordance with the provisions of the Farmington City Subdivision Ordinance.
10. A deed restriction shall be placed on the plat indicating to potential buyers that they are purchasing property wherein water may sit in the barrow pit and in some seasons the barrow pit could turn to wetland.
11. The Planning Commission recommends the waiver of sidewalks on Shirley Rae Drive and on Shire Lane and that on 1100 West on the Griffin Subdivision side there be no sidewalks, thus keeping the area consistent with the policy in west Farmington to have sidewalks on the east and south sides of the streets, keeping the west and north sides free for equestrian use.
12. An extension agreement shall be entered into by the developer and the City wherein the developer shall provide for sidewalk construction on Shire Lane in the event the City finds a need for sidewalks in the future.

Cory Ritz seconded the motion, which passed by unanimous vote.

Reasons for the motion included:

1. The motion resolved drainage issues pertinent to the subdivision.
2. The City is protected if the future indicates a need for sidewalks on Shire Lane.
3. The design for Shire Lane, including the swale feature, accommodates the rural nature of the area.
4. The motion is consistent with the recommendation previously made to the City Council regarding the North Logan street model.
5. Not requiring sidewalks is consistent with the policies for equestrian use in west Farmington.

AGENDA AMENDMENT

Larry Jensen *MOVED* that the Planning Commission consider agenda items 8, 7, and 4 next in order. **Cory Ritz** seconded the motion, which passed by unanimous vote.

ORIGINAL TOWNSITE RESIDENTIAL ZONE/CONSIDERATION OF RECOMMENDATION TO THE CITY COUNCIL REGARDING THE ADOPTION OF A NEW CHAPTER IN THE ZONING ORDINANCE TITLED: "ORIGINAL TOWNSITE RESIDENTIAL ZONE" (CHAPTER 17) AND A NEW SECTION IN THE ZONING ORDINANCE TITLED "11-28-200 SECONDARY DWELLING UNITS" (ZT-2-02) (Agenda Item #8)

Background Information:

This agenda item was reviewed at a public hearing on October 24, 2002. Enclosed drafts incorporate the comments received at the public hearing and also comments received from the City Attorney.

END OF PACKET MATERIAL.

David Petersen introduced the agenda item. A citizens committee had been working for months regarding the proposed "Original Townsite Residential Zone" (OTR). Several issues had been discussed at length: secondary dwellings, exclusion of flag lots with special exceptions for lot widths, construction quality, garages, building height, and front yard fences. Planning Commission comments had not yet been included in the proposed zone language.

Mr. Jensen referenced a letter sent by Alysa Revell, dated October 7, 2002, and stated the letter contained comments worth consideration before draft language is final.

The Planning Commission continued to discuss the agenda item, including the following points:

- ▭ Imitation surfaces such as rock, etc., should be allowed for consideration.
- ▭ Section 11-17-050 regarding construction quality could end with "... including a recommendation regarding colors and exterior materials."
- ▭ Language also needed to be added indicating: "exceptions to the standards herein would need to go to the Farmington City Historical Preservation Commission."

Larry Jensen *MOVED* that the Planning Commission recommend that the City Council adopt a new Chapter in the Zoning Ordinance titled, "Original Townsite Residential Zone" (Chapter 17) and a new section in the Zoning Ordinance titled, "11-28-200 Secondary Dwelling Units" with amendments as follows:

1. Language shall be added indicating “exceptions to the standards herein shall go to the Farmington City Historical Preservation Commission for review and recommendation.”
2. Fence construction in front yards of vinyl or chain link shall be prohibited. However, applications for fence materials not in compliance may be taken before the Farmington City Historical Preservation Commission for review and recommendation.

Kent Forsgren seconded the motion, which passed by unanimous vote.

Reasons for the motion included:

1. An extensive amount of citizen input and work had gone into the ordinance proposal.
2. Residents appeared to be in favor of the proposed ordinance.
3. The purpose of the zone, among other things, was to conserve and protect the beauty and historic character of the original townsite residential area of Farmington City.
4. The proposed ordinance was written to include community involvement and encouraged on-going upgrading.

PUBLIC HEARING: RECOMMENDATION TO THE CITY COUNCIL REGARDING THE ADOPTION OF A NEW SECTION IN THE ZONING ORDINANCE TITLED, “SPECIAL EXCEPTIONS” (SECTION 11-5-109) AND CONSIDERATION OF A NEW DEFINITION OF THE ZONING ORDINANCE TITLED, “SECONDARY DWELLING UNITS” (11-2-020(38)) ALONG WITH OTHER RELATED DEFINITION CHANGES (Agenda Item #7)

Background Information:

The Special Exception section enclosed with this staff report was reviewed by the Planning Commission on October 24, 2002. The changes suggested by the Planning Commission, plus other changes made by staff, are incorporated into this document.

A new definition in the Zoning Ordinance regarding secondary dwelling units is also enclosed for Planning Commission review. This item is related to the changes necessary for adoption of the Original Townsite Zone (Chapter 17.).

END OF PACKET MATERIAL.

David Petersen briefly reviewed the agenda item.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING*. With no forthcoming comments, she *CLOSED* the public hearing and asked the Planning Commission for their consideration.

Commission members remarked that the issues had been extensively discussed previously.

Cory Ritz *MOVED* that the Planning Commission recommend that the City Council approve the zone text changes as requested regarding the adoption of a new Section in the Zoning Ordinance titled, "Special Exceptions" (Section 11-5-109) and a new definition of the Zoning Ordinance titled, "Secondary Dwelling Units" (11-2-020(38)) along with other related definition changes. **Sid Young** seconded the motion, which passed by unanimous vote.

The reason for the motion included the fact that the Planning Commission had discussed this and related issues in great detail.

**PUBLIC HEARING: ORIGINAL TOWNSITE RESIDENTIAL (OTR)
REZONE/FARMINGTON CITY COUNCIL REQUEST FOR RECOMMENDATION
FROM THE PLANNING COMMISSION REGARDING A CHANGE OF ZONE FOR
THE PROPERTY EXTENDING FROM 100 NORTH TO 300 NORTH AND FROM
MAIN STREET TO 200 EAST, INCLUDING (IN GENERAL) PROPERTIES ON BOTH
SIDES OF STREETS, FROM PRESENT ZONE DESIGNATIONS TO OTR (Z-4-02)
(Agenda Item #4)**

Background Information:

A public hearing regarding the text amendment for the Original Townsite Residential Zone was held at the last Planning Commission meeting. Now it is proposed that certain properties as described in the request above be rezoned to Original Townsite Residential (OTR). Prior to considering the above motion, the Planning Commission should consider a motion to review Agenda items #7 and #8 pertaining to this rezone request. After, and if motions are adopted regarding these two proposals, then the Planning Commission can revisit the rezone decision. Planning Commission By-Laws require that Planning Commission agenda items shall be set forth in a certain order and that order can only be changed upon approval of a motion from the Planning Commission.

Please note the Planning Commission requirements require mailing to all property within 300 feet of a proposed rezone area. Therefore, many property owners who are not a part of the study area for the Original Townsite Zone have been invited to voice their comments regarding this zone change.

END OF PACKET MATERIAL.

Mr. Petersen indicated that residents within 300 feet of the affected property had been notified several times. Property owners within the rezone area had also been appropriately notified of the pending action.

Mr. Petersen described the business and residential zone (BR) which constituted a small part of the area under consideration. City staff had talked to two of the property owners involved and had plans to meet with the other two. Negotiations were underway to preserve the two historic homes in the BR area while providing these property owners a mechanism to retain present commercial opportunities.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING*.

Albert Mayo (133 North 100 East) asked about the effect of the historic designation given pioneer homes, especially those that had been pointed out on the BR property.

Mr. Petersen stated the plaque on historic homes does not adequately protect these homes.

Richard Ellis (44 East 400 North) wanted the OTR zone extended beyond the current boundaries. He felt there was property further north on Main Street that should have similar protections.

Glen Park (133 East 300 North) expressed indignation that he had only had one or two notifications of discussions by the citizens' committee and possible actions they may be considering. He said he was unaware of actions being taken during the current meeting and that his area had been left out of consideration. He felt that a serious poll should be conducted regarding the kind of community the citizens wanted to maintain. Mr. Park said there were many bad feelings among his neighbors about the recent S.I.D. conducted by the City, which added to a basic distrust of what was being done. The descriptions of the proposed area being zoned was vague and the actions being considered would affect many homes for a long time to come. There was too much at stake to make such far-reaching decisions before bringing everyone in the entire area up to date. Doing so would be very involved and time-consuming. He felt that private property rights were being abused.

Barbara Soelberg (172 North 100 East) stated she felt badly that the neighbors had had some bad experiences with the recent S.I.D. She had served on the citizens' committee which had worked on the OTR. It had not been a matter of making changes to the area, but rather to accommodate the wishes of the residents in protecting the character of the area while honoring private property rights. The OTR being proposed, she felt, was much preferable to the R2 zone currently in force. Ms. Soelberg felt the OTR should include the entire old town site as soon as possible. The intent of the proposed zone was to protect the old town site. She did not like the

provision that allowed chain link fences. She felt that the work done was a very good start and that there was no intent to impose ideas or restrict actions or offend property owners.

Rick Anderson (45 East 300 North) said he had also served on the committee. There had been a tremendous amount of thought about peoples' rights. The original idea of creating an overlay zone was not what the committee felt would be appropriate. They decided to create an entirely new zone and worked through a great deal of issues in doing so. Mr. Anderson felt there had been ample public notice. There had been at least three public hearings. He felt that if the area were to be expanded at this point, the work would have to be started all over again. The boundaries had been established for the current consideration. If other areas wanted to do the same work, they would have the OTR as a model. The committee had been very careful not to step on any toes. No existing structure would be impacted. The intent was to preserve the unique character of the community. It was an eclectic neighborhood and that is what citizens enjoyed. He recommended the Planning Commission approve the OTR as proposed.

Lowell Hess (344 North 100 North) wanted to know how the boundaries had been decided.

Mr. Petersen reviewed reasons the area had been chosen and how the new zone had come about. Farmington City had received a grant to develop in-fill ordinances. In receiving public input for that project, it was evident that the citizens did not want to have in fill in the down town area. As work progressed and other options were considered, it was apparent that the City staff would not be able to cover all 47 blocks when working to create new or up-dated ordinances. It was decided to choose a workable, small study area. Mr. Petersen said he had not been involved in the S.I.D. so those events did not influence his decision regarding the chosen study area. He arbitrarily divided the old town site into relatively equal sized neighborhood groups. It was intended that after the work was done for the first area, the work would move to other areas until the entire old town site had gone through the process. Mr. Petersen said it may well be that each of the chosen areas would have different needs and ideas regarding a zone specific to their property. Some may be very much like the OTR currently being considered, others may be similar with definite changes.

Richard Ellis (44 East 400 North) said there may be problems with the segments as defined. He thought the entire area should be done as a whole.

David Petersen said he recommended the current OTR zone as a model for other areas but public input was an integral part of the process.

Valerie Wendell (280 North 200 East) stated she worried about the stipulation that homes in the zone had to be maintained in the fashion in which they currently existed. Her brother owned a wood frame home which had to be painted every few years. She felt he would much rather put siding on the house so that it would be low-maintenance. Wood versus vinyl fencing would have the same problem.

Mr. Jensen stated the ordinance was written so that it was flexible and would

accommodate the needs and wishes of the citizens. Any ideas not in compliance may be taken before the Farmington City Historical Preservation Commission for review and recommendation.

Alysa Revell (208 West State Street) said she was a member of the Farmington City Historical Preservation Commission. The Commission had discussed the new zone at their last meeting and were unanimously thrilled with its provisions. She was impressed with the amount of work, time, and thought involved and felt it was a solid plan. She recommended adoption and that the work spread to the entire old town site. It will preserve the character of Farmington. Preventive measures are much preferable to the cost of renovation.

Jim Walker (154 East 200 North) expressed his concern about the colors as stated in the ordinance draft. He felt that white should be an alternative.

Mr. Petersen said that the colors allowed by ordinances were “earth tones.” White was considered an earth tone.

With no further comments, **Chairman Hoffman** *CLOSED* the public hearing and asked the Planning Commission for their consideration.

Mr. Jensen felt there was a great strength in the proposed zone because of the tremendous amount of input from the residents. It was a very valuable process that had been accomplished and it should be encouraged in all the neighborhood areas. Each area may well have different demands. He recommended the zone.

Mr. Young said one of the greatest strengths of the draft zone was that it had been written by people living in the area itself.

Mr. Jensen felt that the people living in the BR zone should decide for themselves if they wanted to have the rezone. That specific issue should not be handled as part of the business during the current meeting.

Chairman Hoffman stated the City should look at ways to preserve the historic homes in the BR zone.

Larry Jensen *MOVED* that the Planning Commission recommend to the Farmington City Council approval of a change of zone for property included in the original Townsite Residential Zone Study Area extending from 100 North to 300 North and from Main Street to 200 East, including (in general) properties on both sides of streets, from present zone designations to OTR (Original Townsite Residential). The issue whether or not to include properties presently zoned “BR” will be resolved pending further discussion between these owners and the City. **Cindy Roybal** seconded the motion.

In discussion of the motion, **Kent Forsgren** suggested amending the motion by adding language that emphasized the nature of the ordinance as a work in progress, subject to expanded

public input and appropriate changes. Both Mr. Jensen and Ms. Roybal concurred with the amendment to the motion.

The vote on the motion was unanimous in the affirmative.

Reasons for the motion included:

- ▯ The zone will help preserve the unique character of Farmington.
- ▯ There had been tremendous public input into the text of the ordinance.
- ▯ The zone protects the property rights and value of the land in question.
- ▯ The zone language was flexible and accommodated the wishes and needs of the residents.
- ▯ The Farmington City Historical Preservation Commission was in favor of the new zoning ordinance.

**PUBLIC HEARING: RANDY LEWIS REQUEST FOR CONDITIONAL USE
APPROVAL TO CONVERT THE 2 TWO-FAMILY DWELLINGS LOCATED ON LOTS
1 AND 2 OF THE HELD SUBDIVISION INTO CONDOMINIUMS. THE HELD
SUBDIVISION IS LOCATED AT APPROXIMATELY 50 WEST 600 NORTH IN AN R-2
ZONE (C-10-02) (Agenda Item #5)**

Background Information:

Farmington City previously approved a condominium plat related to the above-referenced request on April 4, 2001. (See enclosed City Council minutes dated April 4, 2001, and letter from David Petersen to Joel Anderson dated March 30, 2001.) However, this condominium plat approval has since expired. The suggested motion outlined above is very similar to the motion approved by the City Council on April 4, 2001.

END OF PACKET MATERIAL.

Mr. Ritz declared a conflict of interest and excused himself from the rostrum and did not participate in discussion.

Mr. Petersen briefly reviewed the background information.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING* and invited the applicant to address the Planning Commission.

Randy Lewis (applicant) said he was the agent for the property owners. A previous

request to have the subdivision become a condominium had expired and the property owners were now re-applying for condominium status. Having the property become condominiums would be good for the community because it would increase the opportunity for these units to be owner-occupied. Mr. Lewis asked for further clarification regarding the requirement to construct a fence around the entire property. He said doing so would be a hardship for the owner. If the reason for the fence was privacy, he suggested building a fence around the living area at the back of each unit. Doing so would create more open space between the condos and the nearby neighbors.

Joel Anderson (57 West 600 North) stated he was the original builder. He had run into financial difficulties in constructing the buildings. He could leave the buildings as duplexes, which is a permitted use. However, he felt it would be more beneficial to the neighborhood if the buildings were condominiums. He felt it would be unfair if he were required to install a fence when his neighbors were not required to do so. If a fence were constructed, it would destroy the wooded area to the south and to the west of the property. Because the buildings were built on higher ground than the neighbors, privacy would not be increased. He said he loved the feeling of the old town site, and he felt the buildings constructed were a great improvement on what had been there before. He also committed to completing the drainage improvements previously agreed upon.

Susan Dejong (510 North 200 East) asked why the large buildings had been permitted on the lot. They seemed to be cramped into the small area.

Mr. Petersen stated the City Council had directed placement of the buildings. They looked cramped because they were placed so far back on the lots.

With no further comments, **Chairman Hoffman** *CLOSED* the public hearing and asked the Planning Commission to consider the issues. The Planning Commission discussed the agenda item, including the following points:

- ⌞ Commission members wanted to make sure that all drainage issues had been or will be resolved. There had been flooding inside the homes and neighbors had been concerned that run off was not being contained on site.
- ⌞ Landscaping previously required needed to be completed.

Kent Forsgren *MOVED* the Planning Commission approve the application as presented subject to all Farmington City development standards and ordinances and the following conditions:

1. The developer and/or property owner shall construct drainage improvements consistent with an approved overall grading and drainage plan for the condominium project proposal prior to the City signing the condominium plat and before recordation of said plat at the office of the Davis County Recorder.

2. A landscape plan, and any elements thereof previously approved by the Planning Commission, shall be completed or shall be bonded for and shall be approved by the City Planner prior to the City signing the condominium plat and before recordation of said plat at the office of the Davis County Recorder.
3. The developer shall receive condominium plat approval from the Farmington City Council and approval to amend the Held Subdivision by vacating lots 1 and 2 of said subdivision to accommodate the condominium plat.
4. The developer shall post a security bond acceptable to the City to insure that all improvements are constructed or installed in compliance with all City standards and conditions of this approval. All such improvements shall be fully executed by all parties thereto prior to the City signing the condominium plat and before recordation of said plat at the office of the Davis County Recorder.
5. The developer, neighbors, and City Planner shall reach an understanding regarding the installation of a fence around the perimeter of the development or landscaping, or bonding for landscaping, to provide privacy as requested by the neighbors in previous meetings. Such arrangement shall consider the southwest corner of the property where little landscaping exists and whether or not a fence should be erected there for privacy.

Sid Young seconded the motion, which passed by unanimous vote.

Reasons for the motion included:

- ▭ The action will resolve drainage issues still existing on the property.
- ▭ The privacy of the neighbors will be protected.
- ▭ Previously agreed to landscaping will be completed.
- ▭ The condominium status of the property will be beneficial to the community.

RECONSIDERATION OF PREVIOUS MOTION

Kent Forsgren *MOVED* that the Planning Commission reconsider a previous motion regarding agenda item #3 (David Griffin's application for recommendation to the City Council for final plat approval for the Griffin Subdivision). **Larry Jensen** seconded the motion, which passed by unanimous vote.

After a brief discussion, **Kent Forsgren** *MOVED* that the motion on agenda item #3 (Griffin Subdivision) be amended to include language on condition #11 such that sidewalks on

Shire Lane shall be considered if required by Federal, State, or City law if necessary to meet public health, safety, and welfare standards. **Larry Jensen** seconded the motion, which passed by unanimous vote.

Reasons for the motion included clarification of condition #11 and protection of residents.

ANNEXATION APPLICATION FOR PROPERTY NEAR NORTHWEST FARMINGTON/REQUEST REGARDING PROPOSED ANNEXATION AND ZONE DESIGNATION FOR 433.384 ACRES OF UNINCORPORATED TERRITORY IN DAVIS COUNTY LOCATED NORTHWEST OF THE PRESENT CORPORATE CITY LIMITS WEST OF THE DENVER RIO GRANDE WESTERN RAILROAD TRACKS, NORTH OF THE FARMINGTON RANCHES SUBDIVISION, AND WEST OF THE KAYSVILLE CITY LIMITS (A-1-02) (Agenda Item #6)

Background Information:

The General Plan states:

“As property is annexed into the City, it shall be classified with a zoning designation “A” unless the owners request another zoning designation. Such a request may be reviewed by the Planning Commission and City Council at the time of annexation and shall be handled as a rezone request.”

The annexation petitioners have development plans or schematic plans for their property, but there still remains issues to be resolved regarding wetlands and other sensitive areas related to the yield plan thereby dictating the number of allowable lots permitted in each schematic plan. These issues will be reviewed at the Commission meeting.

If the Commission is confident to proceed, they may formulate a recommendation regarding the proposed annexation and a recommendation regarding the zoning for said annexation.

END OF PACKET MATERIAL.

Mr. Petersen reviewed the background information. He recommended designating property east of the 4218 elevation line as “AE” and property west of 4218 as “A.”

Representatives of the annexation area commented that they were ready to go to Kaysville for annexation if not given approval. They felt it of great importance to have a zone designation of “AE” for their property.

The Planning Commission discussed the issues, including the following points:

- ↯ Transportation is a grave concern. With more development in west Kaysville, Shepard Lane was in danger of being overwhelmed with traffic far beyond its capacity. If the proposed areas were annexed into Farmington City, the City may have more control regarding future traffic patterns generated from these areas.
- ↯ The AE designation may indicate approval of density levels which could not be handled by current road systems.
- ↯ The developers had submitted rough designs as a courtesy to the City. It was evident to them the land would not be developed under “A” zoning restrictions.
- ↯ Transportation concerns can be considered during stages of developmental applications.

Kent Forsgren *MOVED* that the Planning Commission recommend to the City Council annexation of 433.384 acres of unincorporated territory in Davis County (including property of all petitioners represented on the petition when submitted) located northwest of the present corporate City limits west of the Denver Rio Grande Western Railroad tracks, north of the Farmington Ranches Subdivision, and south of the Kaysville City limits and that property east of the 4218 foot elevation level be zoned “AE” and property west of the 4218 elevation level be zoned “A.” **Sid Young** seconded the motion, which passed by unanimous vote.

Reasons for the motion included the following:

- ↯ The annexation will help Farmington City to control future land use and transportation needs of the area.
- ↯ The annexation is allowed by City ordinance.
- ↯ Annexation petitioners had worked very hard to comply with City wishes.

MOTION TO CONSIDER NEW BUSINESS PAST 10 PM

Sid Young *MOVED* that the Planning Commission consider agenda items past the hour of 10:00 P.M. **Cindy Roybal** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: JON A. AND KATHLEEN STREADBECK REQUEST FOR RECOMMENDATION TO THE CITY COUNCIL TO VACATE APPROXIMATELY 12 FEET ON THE EAST SIDE OF THE 100 EAST RIGHT-OF-WAY LOCATED AT 258

EAST 100 EAST IN AN R-2 ZONE (STR-1-02) (Agenda Item #9)

Background Information:

The Streadbecks are primarily requesting a street vacation to avoid demolishing an existing accessory building as they make plans to build their single-family home. The Streadbecks desire some assurance from the City that as they proceed forward with their building plans, that they can fit their home in the building envelope of this lot or a future expanded lot.

END OF PACKET MATERIAL.

Mr. Petersen briefly reviewed background information.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING*. She invited the applicant to address the Commission.

Mr. Streadbeck stated the vacation would allow the front set back of the future house to line up with adjacent homes. After discussion with the Commission, he stated he knew there were tax implications associated with the vacation and was willing to pay the increase. He stated he would not be building his home closer to the road than what his neighbors had done.

With no further comments, **Chairman Hoffman** *CLOSED* the public hearing.

Larry Jensen *MOVED* that the Planning Commission recommend approval of this petition to the City Council with the following conditions:

1. An easement shall be reserved for any existing utility located in the vacated portion of the street.
2. The applicant shall provide a survey and a legal description of the vacated right-of-way for the ordinance and vacation order.

Kent Forsgren seconded the motion, which passed by unanimous vote.

Reasons for the motion included:

- ▯ The request met ordinance requirements.
- ▯ The approval would be a good thing for the neighborhood.

CITY COUNCIL REPORT AND MISCELLANEOUS

In discussion of miscellaneous items, **Mr. Petersen** informed the Planning Commission of Utah Transit Authority public open houses on November 19, 20, and 21. Information was

Farmington City Planning Commission
distributed.

November 14, 2002

ADJOURNMENT

Kent Forsgren *MOVED* to adjourn at 10:40 P.M. **Cindy Roybal** seconded the motion, which passed by unanimous vote.

Linda Hoffman, Chairman
Farmington City Planning Commission